

## **REMARKS**

The Examiner's comments from the final Office Action mailed November 26, 2007 and the Advisory Action mailed March 20, 2008 have been carefully considered. Claims 24, 26, and 27 have been canceled without prejudice or disclaimer. Applicant reserves the right to pursue claims 24, 26, and 27 in a later filed continuing application. Claims 23, 25, 28, and 29 remain pending in the application and claims 30 and 31 have been newly added. Claims 8-22 remain withdrawn.

Amendments have been made to claims 23, 25, 28, and 29. Support for these amendments can be found throughout the specification and figures. No new matter has been added. Examination and allowance of the pending claims are respectfully requested.

### **Claim Rejections**

Claims 23-26, 28, and 29 have been rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,338,198 to Wu et al. (hereinafter "Wu") in view of U.S. Publication No. 2004/0017369 to Hultgren et al. (hereinafter "Hultgren"). Claims 24 and 26 have been canceled without prejudice or disclaimer, thereby rendering the rejection with respect to these claims moot. With respect to claims 23, 25, 28, and 29, Applicant respectfully traverses the rejection.

Claim 23 recites, in part, a second scanning module configured to couple selectively to a base plate module and to a first scanning module. The first and second scanning modules are configured to position study casts of dental arches within a scanning device. Claim 23 also recites an articulator configured to position the first scanning module relative to the second scanning module to orient an occlusal surface of a first study cast towards an occlusal surface of a second study cast.

None of the cited references disclose or suggest a second scanning module configured to couple selectively to a base plate module and to a first scanning module. No module or structure in Wu that positions objects within a scanning device may be selectively coupled to another module that positions objects within the scanning device. Hultgren and the other cited references do not overcome the shortcomings of Wu.

Furthermore, none of the cited references disclose or suggest an articulator configured to position the first scanning module relative to the second scanning module to orient an occlusal surface of the first study cast towards an occlusal surface of the second study cast. Rather, Wu

discloses mounting dental impressions on opposite sides of a board facing away from each other. Hultgren and the other cited references do not overcome the shortcomings of Wu.

For at least these reasons, Wu would not lead a person skilled in the art to the invention of claim 23, even in view of Hultgren. Claims 24-26 depend from claim 23 and are allowable for at least the same reasons. Withdrawal of the rejection and allowance of claims 23-26 are respectfully requested. Applicant does not otherwise concede the correctness of the rejection and reserve the right to make additional arguments if necessary.

Claim 28 recites, in part, scanning an alignment sphere within a combined scanning apparatus formed by positioning each of the scanning plate modules to arrange the physical models relative to each other based on an appropriate interaction between the teeth of the lower jaw and the teeth of the upper jaw.

Wu does not disclose or suggest positioning each of the scanning plate modules to arrange the physical models relative to each other based on an appropriate interaction between the teeth of the lower jaw and the teeth of the upper jaw. Rather, in Wu, dental impressions are arranged on opposite sides of a board. The occlusal surfaces of the impressions face away from each other. Accordingly, the impressions in Wu are not arranged relative to each other based on an appropriate interaction between the teeth of the lower jaw and the teeth of the upper jaw. Furthermore, no reason is provided in Wu or elsewhere to modify Wu to position the impressions to face each other. In fact, such an arrangement would interfere with the function of Wu.

Hultgren does not overcome the shortcomings of Wu. Hultgren also does not disclose or suggest positioning each of the scanning plate modules to arrange the physical models relative to each other based on an appropriate interaction between the teeth of the lower jaw and the teeth of the upper jaw.

For at least these reasons, Wu would not lead a person skilled in the art to the invention of claim 28, even in view of Hultgren. Claim 29 depends from claim 28 and is allowable for at least the same reasons. Withdrawal of the rejection and allowance of claims 28 and 29 are respectfully requested. Applicant does not otherwise concede the correctness of the rejection and reserve the right to make additional arguments if necessary.

Claim 27 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Wu in view of Hultgren, and further in view of U.S. Publication No. 2005/0250075 to Taub et al.

(hereinafter "Taub"). Claim 27 has been canceled without prejudice or disclaimer, thereby rendering the rejection with respect to this claim moot. Applicant does not otherwise concede the correctness of the rejection and reserve the right to make additional arguments if necessary.

**CONCLUSION**

Applicant requests reconsideration and allowance of the application in view of the above amendments. If a phone conference would be helpful in resolving any issues related to this matter, please contact Applicant's attorney below at 612.336.4755.



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Respectfully submitted,

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A handwritten signature in black ink, appearing to read "B. Batzli", written over a horizontal line.

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